

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
EUGENE DIVISION

NICHOLAS JAMES MCGUFFIN, as  
an individual and as guardian  
ad litem, on behalf of S.M., a  
minor,

Plaintiffs,

v.

No. 6:20-cv-01163-MK

MARK DANNELS, PAT DOWNING,  
SUSAN HORMANN, MARY KRINGS,  
KRIS KARCHER, SHELLY MCINNES,  
RAYMOND MCNEELY, KIP OSWALD,  
MICHAEL REAVES, JOHN RIDDLE,  
SEAN SANBORN, ERIC  
SCHWENNINGER, RICHARD WALTER,  
CHRIS WEBLEY, ANTHONY WETMORE,  
KATHY WILCOX, CRAIG ZANNI,  
DAVID ZAVALA, JOEL D. SHAPIRO  
AS ADMINISTRATOR OF THE ESTATE  
OF DAVID E. HALL, VIDOCQ  
SOCIETY, CITY OF COQUILLE,  
CITY OF COOS BAY, and COOS  
COUNTY,

Defendants

REMOTE DEPOSITION OF MARK DANNELS

VOLUME I

(Pages 1 through 150)

Taken on behalf of the Plaintiffs

July 14, 2022

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<p>1 BE IT REMEMBERED THAT, pursuant to the 2 Oregon Rules of Civil Procedure, the deposition of 3 MARK DANNELS was taken by Aaron M. Thomas, Certified 4 Shorthand Reporter and Registered Professional 5 Reporter for Oregon, on July 14, 2022, commencing at 6 the hour of 9:02 a.m., via Zoom.</p> <p>7 8 APPEARANCES: 9</p> <p>10 MALONEY LAUERSDORF REINER PC 11 Counsel for Plaintiffs 12 1111 East Burnside Street, Suite 300 13 Portland, OR 97214 14 acl@mlrlegalteam.com 15 jpuracal@forensicjusticeproject.org 16 By MR. ANDREW C. LAUERSDORF 17 MS. JANIS C. PURACAL</p> <p>18 19 LAW OFFICE OF ROBERT E. FRANZ, JR. 20 Counsel for Defendants: City of Coquille, City of 21 Coos Bay, Coos County, Craig Zanni, Chris Webley, 22 Eric Schwenninger, Sean Sanborn, Ray McNeely, 23 Kris Karcher, Pat Downing, Mark Dannels, Kip Oswald, 24 Michael Reaves, David Zavala, Anthony Wetmore, 25 Shelly McInnes PO Box 62 Springfield, Oregon 97477 rfranz@franzlaw.comcastbiz.net BY: MS. SARAH HENDERSON OREGON DEPARTMENT OF JUSTICE Counsel for Defendants: Oregon State Police, John Riddle, Susan Hormann, Mary Krings, Kathy Wilcox 100 SW Market Street Portland, OR 97201 jesse.b.davis@doj.state.or.us BY: MR. JESSE B. DAVIS /////</p>	<p>1 EXAMINATION INDEX 2 Page 3 EXAMINATION BY MR. LAUERSDORF 5 4 * * * 5 EXHIBIT INDEX 6 No. Item Page 7 1 Coquille Police Department 132 8 Leah Freeman - Organization 9 Chart CPO Q20001905 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
Page 3	Page 5
<p>1 --oOo-- 2 WOOD SMITH HENNING &amp; BERMAN LLP 3 Counsel for Defendants: Vidocq Society and Richard 4 Walter 5 12755 Southwest 69th Avenue 6 Suite 100 7 Portland, Oregon 97223 8 kschaffer@wshblaw.com 9 BY: KARIN L. SCHAFFER 10 11 ALSO PRESENT: Mr. Nicholas J. McGuffin 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p>1 MARK DANNELS 2 having first been sworn by the Certified Shorthand Reporter, 3 testified under oath as follows: 4 5 EXAMINATION BY MR. LAUERSDORF: 6 Q. Okay. Mr. Dannels, my name is Andy 7 Lauersdorf. You and I have never met before. 8 Is that correct? 9 A. That is correct. 10 Q. You understand that I'm an attorney 11 representing the plaintiffs in this matter, which is 12 a lawsuit filed by Mr. McGuffin against a number of 13 defendants including yourself, correct? 14 A. Yes. 15 Q. For the record, we have -- well, I'll have 16 the other attorneys introduce themselves at this 17 point if they'd like to go ahead. 18 MS. HENDERSON: Yes, Sarah Henderson. I'm 19 here on behalf of the witness as well as the 20 remaining municipal -- individual municipal 21 defendants. 22 MS. SCHAFFER: Good morning, Karin 23 Schaffer on behalf of Richard Walter and Vidocq 24 Society. 25 MR. DAVIS: Jesse Davis on behalf of the</p>

2 (Pages 2 to 5)

AARON THOMAS COURT REPORTING - 503-961-5740

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<p>1 office, so even though I was up in Oregon as chief, 2 I came back every three months and worked in Arizona 3 for law enforcement here. 4 Q. And how long did those work assignments 5 last when you went back every three months, how long 6 did you have to be in Arizona to fulfill your 7 certification obligations? 8 A. Forty eight hours. 9 Q. So every few months you'd go back and 10 work, what, two days? 11 A. Two or three days. I'd work long hours to 12 get them in. 13 Q. Okay. And the city manager was okay with 14 that arrangement? 15 A. He was, yes. 16 Q. And what did you tell them about when you 17 planned to return to Arizona to run for sheriff? 18 A. I don't remember our exact conversation, 19 but I think my goal was three years, around three 20 years, and that was a tough decision. I enjoyed my 21 time up there, I enjoyed the people, I enjoyed the 22 community. They were good to me along with the city 23 council and the mayor. It was a nice job. 24 Q. Okay. So as chief, were you responsible 25 for creating policies and procedures for Coquille</p>	<p>1 secretary's job, all the way through. 2 Q. Okay. And were those written up into some 3 kind of written policy or procedure? 4 A. Yes, and given to the city manager for 5 approval. 6 Q. And where were those stored? How were 7 they stored? 8 A. They would have been stored at the 9 Coquille Police Department's records office there 10 with Kim Holderfield, our secretary. 11 Q. And how were they distributed to 12 employees? 13 A. During our meetings, I went over it with 14 them. 15 Q. During the performance evaluation? 16 A. Well, during -- we had meetings. We met 17 and we talked -- when I first took over, I did a lot 18 of meetings with them, setting my expectations and 19 standards, accountability, what I expected from them 20 in how we treat the public. 21 One thing that was very obvious was there 22 was not a very good relationship between the City of 23 Coquille Police Department and the citizens and I 24 wanted to mend that. 25 Q. What was the problem with the relationship</p>
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<p>1 P.D.? 2 A. Yes. 3 Q. And were you responsible for changing, 4 updating, or revising the policies or procedures to 5 be followed by Coquille officers and staff? 6 A. Yes. 7 Q. Did you institute any new policies and 8 procedures when you started as chief of police in 9 Coquille? 10 A. One thing I did as a chief, I reset the 11 culture, which is a community culture to work within 12 the community of those we serve. One of the big 13 things that -- we used a thing called Lexipol up 14 there which is a very good system for monthly 15 training, Lexipol policies and procedures I think 16 was attached to that. 17 One of the things I changed was that we 18 did not have was performance evaluations for our 19 employees and how we appraise our employees, so I 20 initiated that system up there, so we had annual 21 evaluations that were done throughout the year with 22 an annual cap at the end. 23 Q. How -- go ahead. 24 A. Each job description, I say I'd like an 25 expectation for what's an officer's job, what's a</p>	<p>1 from your perception? 2 A. The buy-in, the belief, the trust, the 3 respect between law enforcement and the community. 4 The Freeman case was part of that, I believe, that 5 kind of carried over with a fractured foundation. 6 It was felt that it was not done right, that the 7 police department was not engaged with the 8 community. As a result, we worked very hard. We 9 worked in our schools, I coached up there, we set up 10 a community haunted house, we started the program 11 Shop with a Cop, which the first year, we raised 12 over \$22,000 and five school buses took kids to 13 Wal-Mart to help our kids during Christmas, kids in 14 need. Anything in the community that we could get 15 involved with, we were all over it, so just change 16 in how we were perceived and getting my officers to 17 believe what we do and why we do it in law 18 enforcement, but also truly how we treat our people. 19 We had one officer that -- we had two 20 officers that are now felons as a result of -- they 21 failed to fall into the culture. 22 Q. Who were those officers? 23 A. Jimmy Bryant was one of them. He was one 24 that had a -- had a bad reputation in our community, 25 and I hate to be aware of that, but when the local</p>

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1 news editor talked to me about it, people in the  
2 community took the members of my own office, or  
3 department, department, brought that board, and  
4 everybody had a chance to change behavior and he  
5 chose not to and got himself in trouble.

6 The other one was Randy -- I can't  
7 remember Randy's last name.

8 Q. Ulmer?

9 A. Ulmer, there it is. Yes, thank you.

10 Q. And his issue was stealing property from  
11 the evidence room.

12 Is that right?

13 A. That is correct. I can give you some  
14 history on that if you want.

15 Q. Sure.

16 A. When I first took over, one of the things  
17 that I asked for was an audit within our evidence  
18 room as a new change as a new leader coming in. It  
19 went on and it kept being ignored, so I started  
20 pushing buttons. I already talked to Chief Bob Webb  
21 out of the Bandon Police Department to help us with  
22 the audit, and the week before we discovered what  
23 happened, I had mentioned to Pat Smith, I said  
24 "Listen, we have to get that room done. This is  
25 borrowed time," something to that effect.

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1 About a week later, I get a call, I was in  
2 my office and Pat Smith walked up and said "Hey,  
3 we're missing money. These people are here to pick  
4 up their money and it's gone," and the other  
5 evidence guy was Randy Ulmer. Long story short is I  
6 had Pat Smith call Randy and Randy admitted it. He  
7 was up in Eugene with his dad saying that he had  
8 stole the money. It was over \$10,000, so I told Pat  
9 to have him come to my office and I called Paul  
10 Frasier, I don't remember what agency crime team or  
11 how we did it, but I initiated an investigation on  
12 him.

13 Q. Do you recall Oregon State Police Officer  
14 Riddle being involved in that investigation?

15 A. Possibly. I saw him a lot during crime  
16 scene stuff, so I'm sure he was.

17 Q. And then you said Officer Webb from Bandon  
18 P.D.?

19 A. Officer Webb from Bandon P.D., the chief  
20 was going to -- he had people or he was going to do  
21 the audit for me of the evidence room.

22 Q. Do you recall anyone else involved in the  
23 audit?

24 A. I don't at this time.

25 Q. They found a number of problems, didn't

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1 they, in the audit in addition to Mr. Ulmer's theft?

2 A. I don't recall, Andrew, what the findings  
3 were. It was -- once again, you're trying to build  
4 trust and then you have something like this happen  
5 and it didn't help us, but we did the right thing, I  
6 can tell you that much.

7 Q. Do you know who Larry Maurer is?

8 A. I don't recognize that name.

9 Q. It looks like there was a woman involved  
10 as well.

11 So that was one of the things I was  
12 noticing, when I went through the history of police  
13 reports that started being generated once you became  
14 chief, the first thing that came up was the audit.

15 A. Yeah.

16 Q. And Randy Ulmer's theft, and in reviewing  
17 those reports -- actually, I can pull them up if you  
18 want, but it seemed like Pat Smith was pretty  
19 heavily criticized in addition to Officer Ulmer, and  
20 of course Officer Ulmer ended up being terminated  
21 and prosecuted.

22 What's your recollection of what the audit  
23 revealed?

24 A. I don't recall specific to that, and I'll  
25 just say this to you, and maybe it will be a better

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1 understanding, my time in Coquille went very, very  
2 fast, between the homicides we addressed, not just  
3 the Freeman case, but the many homicides and the two  
4 officers that I dealt with while I was up there and  
5 just building those community programs within the  
6 community, heck, I was covering midnight shifts,  
7 working days, I was all over the place, so I don't  
8 recall the specifics of that audit. There's  
9 probably a good reason I don't, but my intent, my  
10 goal from the day I walked in there was to change --  
11 and that's why I asked for the audit. It made sense  
12 why Randy and Pat -- Pat didn't know about it, I'm  
13 saying that, but they didn't want to push that audit  
14 through.

15 Q. So was there a written policy or procedure  
16 in place at the time that you took over for how  
17 evidence was to be handled and stored and checked in  
18 and out and all those things?

19 A. Coquille had a policy procedure, they did,  
20 and --

21 Q. Where was that stored --

22 A. It was stored -- there was a copy in the  
23 patrol area for the officers and there was a copy up  
24 in our front office, and I might have one in my  
25 office, I'm sure, too.

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1 A. Andrew, it doesn't.

2 Q. So I'll specifically go through the  
3 exhibits and we can talk about that tomorrow.

4 That was the case that Pat Smith was  
5 pretty heavily criticized and I thought I had it in  
6 front of me. I'll get it for you and have it  
7 produced tomorrow.

8 A. Okay. Thank you.

9 Q. During your time as chief of Coquille  
10 P.D., did the City of Coquille or the Coquille  
11 Police Department provide any in-house training more  
12 commonly referred to as Brady obligations.

13 Do you understand what I'm refer to when I  
14 use the term Brady obligations?

15 A. Yes. I don't think we did. I don't  
16 recall that one. I don't think so.

17 Q. Do you recall if the Coquille P.D. or the  
18 City of Coquille has any written policies or  
19 procedures with regard to the department or  
20 individual officers bringing allegations?

21 A. I don't recall having that. That's not  
22 something I see standard in the policy. I don't  
23 recall that.

24 Q. What's your understanding of your Brady  
25 obligation as a law enforcement officer?

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1 A. Brady is when a person lies during an  
2 investigation or aggravated mistakes during an  
3 investigation, they call it the fracture of a  
4 prosecution, through the district attorney or county  
5 attorney to address that officer under a Brady.

6 Q. Okay. Well, what's your understanding of  
7 your obligation as a law enforcement officer to  
8 disclose all exculpatory and inculpatory evidence  
9 that's gathered during your investigation to the  
10 other side, the defense?

11 A. My job as a law enforcement officer is to  
12 gather the facts and share those facts, whether  
13 through written form, physical form, however, to our  
14 prosecution, the county attorney, or -- and then  
15 what they share with the defense goes into something  
16 beyond the scope of a law enforcement officer, if  
17 I'm reading you right, Andrew. My job is the  
18 factual documentation and to give that to the  
19 prosecutor.

20 Q. Okay. And so what's your understanding of  
21 your obligation in that regard? Do you have to  
22 give -- what do you have to give the prosecutor?

23 A. I give the prosecutor everything. I mean,  
24 listen, what I might think is important or not  
25 important is not up to me to decide. That's up to

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1 the prosecutor. We're two different balances of the  
2 criminal justice system and what he wants to take  
3 forward within the authority of a prosecutor versus  
4 what I think is important, I turn that over, okay?

5 A deputy -- the deputy -- we give them  
6 everything. I mean, that's our job. We give them  
7 information. That why we write reports. We  
8 document it and give it to them.

9 Q. What's your understanding of when that  
10 obligation to give over everything is triggered?  
11 Does the prosecutor have to ask for things before  
12 you have to give them to him or do you have an  
13 affirmative obligation to provide everything that  
14 you have to the prosecutor?

15 A. You have an obligation to provide. I  
16 mean, we'll take a crime, that doesn't mean the  
17 prosecutor knows about it, so we have an obligation  
18 to holistically put together and give it to him in  
19 that fashion. If he chooses or she chooses to ask  
20 for more, which happens a lot, then we go from  
21 there, but that is our obligation in law  
22 enforcement.

23 Q. Okay. Does it matter whether the evidence  
24 you're providing is potentially exculpatory or  
25 inculpatory?

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1 A. To me, we give them everything, Andrew.  
2 We give it all to them. That's for them to decide,  
3 the legality side. I'm the cop, I'm not the  
4 attorney in this. We give it all to them.

5 Q. Did the Coquille Police Department have  
6 any written policy or procedure on that process?

7 A. I don't recall the specifics, but I'm not  
8 saying they don't. I just don't recall.

9 Q. During your time as chief there, was there  
10 any in-house training provided by the City of  
11 Coquille or Coquille P.D. on that process?

12 A. I don't recall if we had discussions or --  
13 I don't remember the training, but this goes back to  
14 doing the right thing for the right reasons, and I  
15 don't ever recall Paul Frasier ever coming to me and  
16 saying "Your people aren't submitting reports, your  
17 people aren't submitting the proper investigations."  
18 Never was I ever confronted on that by Paul or the  
19 prosecutors.

20 Q. Okay. Lets use the Freeman investigation  
21 as an example, all right?

22 A. (Witness nods head.)

23 Q. If Mr. Frasier didn't know that there was  
24 a report out there or information out there or  
25 potentially exculpatory evidence out there, he

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1 STATE OF OREGON )  
2 County of Multnomah )  
3

4 I, Aaron M. Thomas, Certified Shorthand  
5 Reporter, Registered Professional Reporter, and  
6 Notary Public for the State of Oregon, do hereby  
7 certify that MARK DANNELS personally appeared before  
8 me at the time and place mentioned in the caption  
9 herein; that the witness was by me first duly sworn  
10 on oath and examined upon oral interrogatories  
11 propounded by counsel; that said examination,  
12 together with the testimony of said witness, was  
13 taken down by me in stenotype and transcribed  
14 through computer-aided transcription; and that the  
15 foregoing transcript constitutes a full, true and  
16 accurate record of said examination of and testimony  
17 given by said witness, and of all other oral  
18 proceedings had during the taking of said  
19 deposition, and of the whole thereof.

20 Witness my hand and Notarial Seal at  
21 Portland, Oregon, this 23rd day of July, 2022.

22

23

24

25

Aaron M. Thomas

Oregon CSR 04-0388





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<p>1 BE IT REMEMBERED THAT, pursuant to the</p> <p>2 Oregon Rules of Civil Procedure, the deposition of</p> <p>3 MARK DANNELS was taken by Aaron M. Thomas, Certified</p> <p>4 Shorthand Reporter and Registered Professional</p> <p>5 Reporter for Oregon, on July 15, 2022, commencing at</p> <p>6 the hour of 1:04 p.m., via Zoom.</p> <p>7</p> <p>8 APPEARANCES:</p> <p>9</p> <p>10 MALONEY LAUERSDORF REINER PC</p> <p>Counsel for Plaintiffs</p> <p>11 1111 East Burnside Street, Suite 300</p> <p>Portland, OR 97214</p> <p>12 acl@mrlegalteam.com</p> <p>jpural@forensicjusticeproject.org</p> <p>13 By MR. ANDREW C. LAUERSDORF</p> <p>MS. JANIS C. PURACAL</p> <p>14</p> <p>15 LAW OFFICE OF ROBERT E. FRANZ, JR.</p> <p>Counsel for Defendants: City of Coquille, City of</p> <p>16 Coos Bay, Coos County, Craig Zanni, Chris Webley,</p> <p>Eric Schwenninger, Sean Sanborn, Ray McNeely,</p> <p>17 Kris Karcher, Pat Downing, Mark Dannels, Kip Oswald,</p> <p>Michael Reaves, David Zavala, Anthony Wetmore,</p> <p>18 Shelly McInnes</p> <p>PO Box 62</p> <p>19 Springfield, Oregon 97477</p> <p>rfranz@franzlaw.comcastbiz.net</p> <p>20 BY: MS. SARAH HENDERSON</p> <p>21 OREGON DEPARTMENT OF JUSTICE</p> <p>Counsel for Defendants: Oregon State Police, John</p> <p>22 Riddle, Susan Hormann, Mary Krings, Kathy Wilcox</p> <p>100 SW Market Street</p> <p>23 Portland, OR 97201</p> <p>jesse.b.davis@doj.state.or.us</p> <p>24 BY: MR. JESSE B. DAVIS</p> <p>25 ////</p>	<p>1 EXAMINATION INDEX</p> <p>2 Page</p> <p>3 EXAMINATION BY MR. LAUERSDORF 158</p> <p>4 ***</p> <p>5 EXHIBIT INDEX</p> <p>6 No. Item Page</p> <p>7 5 City of Coquille Police 314</p> <p>8 Department Incident Report</p> <p>9 dated April 20, 2010</p> <p>10 6 Report of James Pex dated 233</p> <p>11 August 8, 2000</p> <p>12 7 Evidence Accountability 234</p> <p>13 Record, Coquille Police</p> <p>14 Department</p> <p>15 8 Coquille Police Department 235</p> <p>16 Property Request dated</p> <p>17 3-21-01, Kris Karcher</p> <p>18 9 Miscellaneous Information, 247</p> <p>19 H.I.T. Team Meeting Notes</p> <p>20 10 Vidocq Web Pages, 07-16-2009 308</p> <p>21 13 Email from Fred Bornhofen to 309</p> <p>22 Mark Dannels dated July 17,</p> <p>23 2009</p> <p>24 14 Letter to Mark Dannels from 312</p> <p>25 Fred Bornhofen, undated</p>
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<p>1 --oOo--</p> <p>2 WOOD SMITH HENNING &amp; BERMAN LLP</p> <p>Counsel for Defendants: Vidocq Society and Richard</p> <p>3 Walter</p> <p>12755 Southwest 69th Avenue</p> <p>4 Suite 100</p> <p>Portland, Oregon 97223</p> <p>5 kschafter@wshblaw.com</p> <p>BY: KARIN L. SCHAFER</p> <p>6</p> <p>7 ALSO PRESENT: Mr. Nicholas J. McGuffin</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 15 Case Summary 317</p> <p>2 16 PowerPoint: Homicidal Death of 323</p> <p>3 Leah Nicole Freeman</p> <p>4 17 Synopsis of Vidocq Society 327</p> <p>5 Cases</p> <p>6 18 CCSO Zanni Case Credits and 288</p> <p>7 Discredits, 01-27-2010</p> <p>8 19 Case Point and Discredits, 289</p> <p>9 Undated</p> <p>10 24 Press Conference, Coquille 337</p> <p>11 Police Department, January 25,</p> <p>12 2010, Re: Leah Freeman</p> <p>13 Investigation Coquille Police</p> <p>14 Department Case Q20001905</p> <p>15 25 Paul Fraiser "Things To Do" 351</p> <p>16 Leah Freeman Homicide dated</p> <p>17 May 12, 2010</p> <p>18 26 Article from The World, 347</p> <p>19 "Hunting a Killer"</p> <p>20 27 Memo to Chief Mark Dannels to 185</p> <p>21 Sergeant Patrick Smith dated</p> <p>22 November 21, 2008</p> <p>23 28 Bandon Police Department 186</p> <p>24 Incident Report dated November</p> <p>25 25, 2008</p>

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1 29 Oregon State Police Incident 188  
 2 Report  
 3 30 Memorandum, Oregon State 192  
 4 Police dated 12-4-08  
 5 31 Memo to Chief Dannels from 177  
 6 Sergeant Smith dated September  
 7 24, 2008  
 8 32 Letter to Detective Dave Hall 238  
 9 from Katherine Wilcox dated  
 10 September 18, 2000  
 11 33 Oregon State Police Interview 213  
 12 of Nick Backman  
 13 34 Letter to Officer Hall from 218  
 14 Katherine Wilcox dated July 6,  
 15 2000  
 16 35 Leah Freeman Homicide 252  
 17 Investigation Plan  
 18 36 2010 H.I.T. Team Notes 260  
 19 37 Email from Susan Hormann to 345  
 20 Pat Smith dated 3/15/2010  
 21 39 Email from Ray McNeely to Pat 352  
 22 Smith and Mark Dannels dated  
 23 May 17, 2010  
 24 40 Coquille Police Department, 353  
 25 Leah Freeman Homicide,

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1 MARK DANNELS  
 2 having first been sworn by the Certified Shorthand Reporter,  
 3 testified under oath as follows:  
 4  
 01:04:18 5 MR. LAUERSDORF: Okay. This is Andrew  
 01:04:20 6 Lauersdorf on behalf of the Plaintiff, Mr. McGuffin  
 01:04:23 7 et al. We're back on the record with the deposition  
 01:04:27 8 of Mark Dannels.  
 01:04:28 9  
 01:04:28 10 EXAMINATION BY MR. LAUERSDORF:  
 01:04:29 11 Q. You still understand that I'm the attorney  
 01:04:31 12 representing the plaintiffs in this matter.  
 01:04:33 13 Is that correct?  
 01:04:34 14 A. Yes.  
 01:04:34 15 Q. And can you please state for the record  
 01:04:37 16 your name as given at birth.  
 01:04:39 17 A. Mark Joseph Dannels.  
 01:04:42 18 MR. LAUERSDORF: And I'll go ahead and  
 01:04:43 19 have counsel for the other parties introduce  
 01:04:46 20 themselves at this time.  
 01:04:47 21 MS. HENDERSON: Yes, Sarah Henderson for  
 01:04:47 22 the witness, the municipal and individual municipal  
 01:04:49 23 defendants.  
 01:04:54 24 MR. DAVIS: Jesse Davis on behalf of the  
 01:04:56 25 Oregon State Defendants.

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1 CQP-Q20001905  
 2 41 FBI investigation of Cherie 359  
 3 Mitchell dated 07/11/2000  
 4 42 Grand Jury Proceedings, 361  
 5 Testimony of Cherie Mitchell  
 6 43 Oregon State Police - ODOT 364  
 7 Investigation dated 7/5/2000  
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01:04:58 1 MS. SCHAFFER: And Karin Schaffer on  
 01:05:00 2 behalf of Vidocq Society and Richard Walter.  
 01:05:05 3  
 01:05:05 4 BY MR. LAUERSDORF: (Continuing)  
 01:05:07 5 Q. Sheriff Dannels, did you speak to anybody  
 01:05:09 6 other than your attorney about the deposition during  
 01:05:10 7 the overnight break?  
 01:05:12 8 A. No.  
 01:05:13 9 Q. Did you review any documents related to  
 01:05:15 10 this case over the break?  
 01:05:16 11 A. This morning, about 20 minutes before we  
 01:05:19 12 started, I looked over my grand jury.  
 01:05:22 13 Q. Your grand jury testimony?  
 01:05:23 14 A. Yes.  
 01:05:24 15 Q. Okay. Any other documents?  
 01:05:27 16 A. I reviewed the documents through verbal  
 01:05:30 17 with my counsel from what you sent on what I believe  
 01:05:36 18 was Shaw.  
 01:05:37 19 Q. The documents that I sent overnight last  
 01:05:40 20 night?  
 01:05:41 21 A. Yes, sir.  
 01:05:44 22 Q. Were there any notes on any of the  
 01:05:46 23 documents that you reviewed over the break?  
 01:05:48 24 A. No.  
 01:05:49 25 Q. Okay. I understand you continue to be

3 (Pages 156 to 159)

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01:20:16 1 him to Oregon, yes.

01:20:17 2 Q. Okay. Do you remember, did you do any

01:20:18 3 vetting of Mr. Walter? Did you read any of his

01:20:22 4 prior media interviews, anything like that, anything

01:20:25 5 about cases he'd worked on in the past?

01:20:28 6 A. He was part of Vidocq, so I did check into

01:20:34 7 Vidocq when I was contacted, but Richard, I don't

01:20:38 8 know if I ever checked into him. I might have, but

01:20:42 9 I don't recall.

01:20:43 10 Q. If you look him up on the Internet and you

01:20:46 11 read newspaper articles in which he's quoted, he

01:20:49 12 frequently used this quote "The investigators are

01:20:52 13 getting close, and if I was the suspect, I wouldn't

01:20:56 14 buy any green bananas."

01:20:59 15 Have you ever heard that phrase or heard

01:21:03 16 Mr. Walter use that phrase before?

01:21:04 17 A. If he did, it's not in my head. I don't

01:21:06 18 recall that.

01:21:07 19 Q. Is that the kind of misinformation that

01:21:10 20 you're talking about when you say that you might put

01:21:13 21 something out there in the public just to influence

01:21:15 22 the investigation or influence suspects at large?

01:21:22 23 A. I don't know that statement. That's not

01:21:24 24 something in my vocabulary or thought process. If I

01:21:28 25 put something out, my thoughts are to get hope, that

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01:21:33 1 we put hope back in an investigation, hey, we need

01:21:36 2 to follow this thing where it's going, but that

01:21:39 3 catch phrase there, I don't know how to comment on

01:21:41 4 that.

01:21:42 5 Q. Okay. During your time as chief of

01:21:44 6 Coquille Police, did you ever lie to a witness in an

01:21:47 7 effort to obtain information in an investigation?

01:21:54 8 A. Not that I recall.

01:21:55 9 Q. Okay. How about a suspect, do you recall

01:21:58 10 ever lying to a suspect in your effort to obtain

01:22:02 11 information in an investigation during your time at

01:22:04 12 Coquille?

01:22:05 13 A. Not that I recall.

01:22:07 14 Q. More specifically, during your work on the

01:22:09 15 Freeman investigation, did you ever lie to a witness

01:22:13 16 in an effort to obtain information?

01:22:15 17 A. Not that I recall. I only did a handful

01:22:19 18 of direct interviews, Steinhoff being the main one.

01:22:22 19 Q. Okay. How about a suspect, did you ever

01:22:24 20 lie to a suspect in the Freeman investigation to

01:22:27 21 obtain information?

01:22:28 22 A. Not that I recall.

01:22:31 23 Q. During your time as chief of Coquille

01:22:34 24 police, did you ever authorize or instruct a

01:22:37 25 Coquille Police Department police officer to lie to

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01:22:39 1 a witness in an effort to obtain information in an

01:22:43 2 investigation?

01:22:43 3 A. No.

01:22:45 4 Q. Did you ever authorize or instruct a

01:22:47 5 Coquille Police Department officer to lie to a

01:22:49 6 suspect in an effort to obtain information in an

01:22:52 7 investigation?

01:22:52 8 A. Not that I recall.

01:22:55 9 Q. During your time as chief of Coquille

01:22:59 10 police, did you ever authorize or instruct a police

01:23:03 11 officer from another agency to lie to a witness to

01:23:06 12 obtain information during the time of an

01:23:08 13 investigation?

01:23:08 14 A. Not that I recall. That's not in the

01:23:10 15 scope of how I've practiced in my 38 years, sir.

01:23:13 16 Q. How about to a suspect?

01:23:18 17 A. Have I instructed somebody to lie to a

01:23:21 18 suspect?

01:23:22 19 Q. Yeah, let me go through the whole question

01:23:24 20 again.

01:23:25 21 During your time as chief of Coquille

01:23:30 22 P.D., did you ever authorize an officer from another

01:23:34 23 agency to lie to a suspect in an effort to obtain

01:23:37 24 information in an investigation?

01:23:38 25 A. No, not that I recall.

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01:23:39 1 Q. And the reason I asked is you have the

01:23:41 2 major crimes team, you have officers from multiple

01:23:45 3 agencies, and along those lines, more specifically,

01:23:48 4 did you authorize or instruct Officer Riddle or

01:23:52 5 Officer Kelley Andrews to tell Kristen Steinhoff

01:23:57 6 that Leah Freeman's blood was found in the Kia

01:24:03 7 automobile that was purchased by Coquille P.D. in

01:24:05 8 2010?

01:24:08 9 A. I don't recall that.

01:24:08 10 Q. Did you authorize or instruct Officer

01:24:08 11 Riddle or Officer Kelley Andrews that Leah Freeman's

01:24:08 12 DNA was found in the Kia automobile that was

01:24:17 13 purchased by Coquille P.D. in 2010?

01:24:20 14 A. I don't recall that.

01:24:21 15 Q. When did you first become aware that they

01:24:24 16 had said those things to Ms. Steinhoff?

01:24:31 17 A. I don't --

01:24:32 18 MR. DAVIS: I'm going to make an objection

01:24:33 19 as assumes facts and -- assumes facts.

01:24:40 20 Go ahead if you can.

01:24:42 21 A. I don't recall that. I watched that

01:24:45 22 interview back in April of Ms. Steinhoff and I and I

01:24:50 23 don't recall that.

01:24:54 24 Q. It was an interview, right, she was

01:24:58 25 interviewed for an hour and 20 minutes by Officer

7 (Pages 172 to 175)


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<p>06:15:13 1 was -- I believe this is your badge number up here</p> <p>06:15:17 2 in the right-hand corner, 601?</p> <p>06:15:21 3 A. It is.</p> <p>06:15:21 4 Q. And these are your initials.</p> <p>06:15:22 5 Is that right?</p> <p>06:15:24 6 A. Yes.</p> <p>06:15:25 7 Q. And this report, if you go down to the</p> <p>06:15:27 8 bottom, has you listed as the author dated June 1st,</p> <p>06:15:31 9 2010, so this again is after Mr. Frasier has issued</p> <p>06:15:40 10 his to do list, and this is a report of you</p> <p>06:15:42 11 interviewing Damon John Mason at the Coquille Police</p> <p>06:15:45 12 Department.</p> <p>06:15:48 13 Do you remember interviewing Mr. Mason?</p> <p>06:15:50 14 A. I don't.</p> <p>06:15:51 15 Q. Do you remember who Mr. Mason is?</p> <p>06:15:55 16 A. Wasn't he the -- I think I read the</p> <p>06:15:58 17 report -- he was the ex of a Lisa Machaad.</p> <p>06:16:03 18 Is that correct?</p> <p>06:16:04 19 Q. I don't think so. I can let you read the</p> <p>06:16:09 20 report here. He was someone that was AWOL from the</p> <p>06:16:13 21 military, he was living in California at the time</p> <p>06:16:15 22 that Ms. Freeman disappeared. He was coming back up</p> <p>06:16:19 23 on weekends to visit family and he came back up on</p> <p>06:16:22 24 the weekend after June 28 and spent some time with</p> <p>06:16:25 25 Mr. Bartley and he referred to an incident where</p>	<p>06:19:11 1 birthday.</p> <p>06:19:12 2 He says that he was coming up on weekends</p> <p>06:19:14 3 and he came up on the weekend after the birthday,</p> <p>06:19:17 4 and then he testified consistently with that in</p> <p>06:19:21 5 grand jury and he also doesn't say specifically --</p> <p>06:19:30 6 well, I guess she does say he was driving with</p> <p>06:19:35 7 Bartley the day after Freeman disappeared, but he</p> <p>06:19:39 8 doesn't offer that, that's something he responded to</p> <p>06:19:43 9 a question that you put to him.</p> <p>06:19:45 10 One of the bigger ones that I was</p> <p>06:19:47 11 particularly interested in, where it says</p> <p>06:19:49 12 "Additionally, Mr. Mason advised us that he</p> <p>06:19:54 13 remembers being told that Bruce McGuffin helped,</p> <p>06:19:58 14 too. Mr. Mason advised us that he was 90-percent</p> <p>06:20:01 15 sure that Bruce McGuffin helped, too." What he's</p> <p>06:20:04 16 talking about here, "We asked Mr. Mason what he and</p> <p>06:20:05 17 Bartley spoke about. Mr. Mason said that Bartley</p> <p>06:20:06 18 told him that Nick McGuffin and he drove around last</p> <p>06:20:09 19 night in Nick's Mustang looking for Leah as she was</p> <p>06:20:13 20 missing. Mr. Mason advised us that Bartley told him</p> <p>06:20:17 21 they searched by the high school, mill pond, and</p> <p>06:20:20 22 around town," and this is after Mr. Mason says --</p> <p>06:20:24 23 and he says in his interview that Bartley and</p> <p>06:20:28 24 McGuffin were involved in Freeman's disappearance,</p> <p>06:20:32 25 that that's what he learned from Bartley, and then</p>
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<p>06:16:29 1 they were driving past Fast Mart and Mr. Bartley</p> <p>06:16:33 2 expressed some apprehension that a police officer</p> <p>06:16:36 3 was approaching.</p> <p>06:16:37 4 Does that ring any bells?</p> <p>06:16:39 5 A. It doesn't, but I'm reading here. That</p> <p>06:16:42 6 helps.</p> <p>06:16:43 7 Q. Okay.</p> <p>06:16:48 8 A. You can move up a little bit, sir.</p> <p>06:17:13 9 Q. Let me know when you're ready.</p> <p>06:17:18 10 A. I'm ready.</p> <p>06:18:20 11 Q. Are you ready?</p> <p>06:18:21 12 A. Yep.</p> <p>06:18:22 13 Q. Okay. It goes on just a little bit</p> <p>06:18:24 14 further.</p> <p>06:18:26 15 You say this was a recorded interview,</p> <p>06:18:30 16 this is a CD recording, and the CD was placed in</p> <p>06:18:34 17 evidence, so until -- one of the things I wanted to</p> <p>06:18:37 18 ask you, the reasons I was asking you earlier about</p> <p>06:18:39 19 what information goes into your report is that I</p> <p>06:18:44 20 went back and listened to the audio and the CD and</p> <p>06:18:47 21 one of the things I note is that in the recorded</p> <p>06:18:50 22 interview, Mr. Mason doesn't say anything about</p> <p>06:18:59 23 arriving in Coquille on the night that Leah went</p> <p>06:19:02 24 missing or the day after and he doesn't mention</p> <p>06:19:07 25 anything about missing his girlfriend's 18th</p>	<p>06:20:35 1 you have this note here, "Mr. Mason advised that he</p> <p>06:20:40 2 remembers being told that Bruce McGuffin helped,</p> <p>06:20:40 3 too," and "Mr. Mason advised that he was 90 percent</p> <p>06:20:41 4 sure that Bruce McGuffin helped, too," and that</p> <p>06:20:44 5 doesn't appear anywhere in the recorded statement,</p> <p>06:20:47 6 so I'm wondering why that would have been added to</p> <p>06:20:50 7 your police report?</p> <p>06:20:51 8 A. I don't know if that was recorded during</p> <p>06:20:53 9 the time when he said that, I don't know. I don't</p> <p>06:20:56 10 recall this conversation, I don't know, but I don't</p> <p>06:21:05 11 know when we started recording it, I don't know.</p> <p>06:21:07 12 I'd have to listen to the recording.</p> <p>06:21:12 13 Q. If you recall in some of the notes that I</p> <p>06:21:14 14 pointed out from the crime team, there were a number</p> <p>06:21:17 15 of different statements of how do we link Bruce</p> <p>06:21:22 16 McGuffin to assisting Nick in Leah's disappearance,</p> <p>06:21:25 17 and then after those notes and after Ms. Frasier's</p> <p>06:21:29 18 to do list, you take this interview and this note</p> <p>06:21:33 19 appears in your police report and I'm just wondering</p> <p>06:21:36 20 if there was any correlation.</p> <p>06:21:39 21 A. Any correlation to?</p> <p>06:21:44 22 Q. The notes in the crime team meetings about</p> <p>06:21:48 23 trying to figure out a way to link Bruce McGuffin</p> <p>06:21:53 24 and Nick McGuffin in Ms. Freeman's disappearance.</p> <p>06:21:57 25 A. Are you asking if I fabricated that?</p>

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06:21:59 1 Q. Yeah.  
06:22:00 2 A. The answer is no.  
06:22:01 3 Q. Okay. So this would have come -- this  
06:22:04 4 would have been -- even though it's not reflected in  
06:22:06 5 the recording of your interview with Mr. Mason, it's  
06:22:09 6 something that you would have said?  
06:22:11 7 A. Yes. I wouldn't make stuff up.  
06:22:13 8 Q. Okay. Would there be any handwritten  
06:22:15 9 notes of this interview?  
06:22:17 10 A. I don't recall. I don't recall the  
06:22:19 11 report, so it -- obviously I wrote that based on  
06:22:23 12 something, whether it be my field notes, whether it  
06:22:28 13 be -- I don't know, but I'm telling you that it's  
06:22:30 14 not made up.  
06:22:31 15 Q. Well, we weren't able to find any field  
06:22:34 16 notes of this interview.  
06:22:37 17 Do you know whether or not there are any  
06:22:38 18 field notes of this conversation?  
06:22:40 19 A. I don't recall, sir.  
06:22:41 20 MR. DAVIS: Counsel, I'm at the end of my  
06:22:43 21 flexibility. It's now 6:22 on a Friday afternoon  
06:22:51 22 and we need to conclude right away.  
06:22:54 23 MR. LAUERSDORF: Okay. So for the record,  
06:22:55 24 I'm going to suspend the deposition and leave it  
06:22:59 25 open. I understand there will be objections and I

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1 STATE OF OREGON )  
2 County of Multnomah )  
3  
4 I, Aaron M. Thomas, Certified Shorthand  
5 Reporter, Registered Professional Reporter, and  
6 Notary Public for the State of Oregon, do hereby  
7 certify that MARK DANNELS personally appeared before  
8 me at the time and place mentioned in the caption  
9 herein; that the witness was by me first duly sworn  
10 on oath and examined upon oral interrogatories  
11 propounded by counsel; that said examination,  
12 together with the testimony of said witness, was  
13 taken down by me in stenotype and transcribed  
14 through computer-aided transcription; and that the  
15 foregoing transcript constitutes a full, true and  
16 accurate record of said examination of and testimony  
17 given by said witness, and of all other oral  
18 proceedings had during the taking of said  
19 deposition, and of the whole thereof.  
20 Witness my hand and Notarial Seal at  
21 Portland, Oregon, this 31st day of July, 2022.  
22  
23  
24  
25  
Aaron M. Thomas  
Oregon CSR 04-0388



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06:23:02 1 note your objections for the record. We'll take the  
06:23:04 2 issue up with the court and seek some additional  
06:23:07 3 time.  
06:23:08 4 I can tell you that the amount of time we  
06:23:14 5 need is probably an hour or less, but I understand  
06:23:17 6 it's an issue for the court, so we'll --  
06:23:20 7 MS. HENDERSON: Yeah, on that note, this  
06:23:22 8 is Sarah, we'll just object to keeping the  
06:23:24 9 deposition open, obviously especially given the  
06:23:27 10 travel arrangements we've had to make doing this  
06:23:32 11 twice. We could have planned for more time if it  
06:23:34 12 was going to take this long, but we understand that  
06:23:37 13 you'll go to the judge with that.  
06:23:40 14 MR. DAVIS: And I'll voice an objection as  
06:23:42 15 well.  
06:23:42 16 MS. SCHAFFER: And Karin Schaffer, I'll  
06:23:44 17 join in that objection as well.  
06:23:46 18 MR. LAUERSDORF: Okay.  
06:23:48 19 Mr. Thomas, as far as I know, we're off  
06:23:52 20 the record.  
06:23:52 21 (Deposition adjourned at 6:23 p.m.)  
22  
23  
24  
25

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AARON THOMAS COURT REPORTING - 503-961-5740

Exhibit 51, Page 12 of 17

Mark Dannels  
September 01, 2023

IN THE UNITED STATES DISTRICT COURT

Mark Dannels  
September 01, 2023  
FOR THE DISTRICT OF OREGON

EUGENE DIVISION

NICHOLAS JAMES MCGUFFIN, as an	)	
individual and as guardian ad	)	
litem, on behalf of S.M., a	)	Civil No.
minor,	)	6:20-cv-01163-MK
	)	(Lead Case)
Plaintiffs,	)	
	)	
v.	)	
	)	
MARK DANNELS, PAT DOWNING,	)	VIDEOCONFERENCE
SUSAN HORMANN, MARY KRINGS,	)	DEPOSITION
KRIS KARCHER, SHELLY MCINNES,	)	
RAYMOND MCNEELY, KIP OSWALD,	)	
MICHAEL REAVES, JOHN RIDDLE,	)	
SEAN SANBORN, ERIC	)	
SCHWENNINGER, RICHARD WALTER,	)	
CHRIS WEBLEY, ANTHONY WETMORE,	)	
KATHY WILCOX, CRAIG ZANNI,	)	
DAVID ZAVALA, JOEL D. SHAPIRO	)	
AS ADMINISTRATOR OF THE ESTATE	)	
OF DAVID E. HALL, VIDOCQ	)	
SOCIETY, CITY OF COQUILLE, CITY	)	
OF COOS BAY, and COOS COUNTY,	)	
	)	
Defendants.	)	
	)	
VIDOCQ SOCIETY,	)	
	)	
Cross-Claimant,	)	
	)	
v.	)	
	)	
MARK DANNELS, PAT DOWNING,	)	
SUSAN HORMANN, MARY KRINGS,	)	
KRIS KARCHER, SHELLY MCINNES,	)	
RAYMOND MCNEELY, KIP OSWALD,	)	
MICHAEL REAVES, JOHN RIDDLE,	)	
SEAN SANBORN, ERIC	)	
SCHWENNINGER, RICHARD WALTER,	)	
CHRIS WEBLEY, ANTHONY WETMORE,	)	
KATHY WILCOX, CRAIG ZANNI,	)	
DAVID ZAVALA, JOEL D. SHAPIRO	)	

Mark Dannels  
September 01, 2023

<p style="text-align: right;">Page 2</p> <p>1 AS ADMINISTRATOR OF THE ESTATE )  2 OF DAVID E. HALL, VIDOCQ )  3 SOCIETY, CITY OF COQUILLE, CITY )  4 OF COOS BAY, and COOS COUNTY, )  5 )  6 Cross-Defendants. )  7 )  8 )  9 )  10 )  11 )  12 )  13 )  14 )  15 )  16 )  17 )  18 )  19 )  20 )  21 )  22 )  23 )  24 )  25 )</p> <p style="text-align: center;">DEPOSITION UPON ORAL EXAMINATION OF MARK J. DANNELS</p> <p>BE IT REMEMBERED THAT, pursuant to the Oregon Rules of Civil Procedure, the deposition of MARK J. DANNELS was taken remotely via videoconference on behalf of the Plaintiffs, before JEAN M. KOSTNER, a Certified Court Reporter for Oregon, on Friday, the 1st day of September, 2023, at the hour of 9:00 a.m., in the State of Oregon.</p>	<p style="text-align: right;">Page 4</p> <p>1 Eric S. DeFreest, OSB #730915  2 LUVVAAS COBB  3 777 High Street, Suite 300  4 Eugene, Oregon 97401  5 (541) 484-9292  6 edefreest@luvaascobb.com  7 (Representing Richard Walter)  8 REPORTED BY:  9 Jean M. Kostner, CSR #90-0051  10 Subcontractor for:  11 US LEGAL SUPPORT  12  13  14  15  16  17  18  19  20  21  22  23  24  25</p>
<p style="text-align: right;">Page 3</p> <p>1 APPEARANCES  2 (All appearances via videoconference)  3 ON BEHALF OF THE PLAINTIFFS:  4 Andrew C. Lauersdorf, OSB #980739  5 Janis C. Puracal, OSB #132288  6 MALONEY LAUERSDORF, REINER, PC  7 1111 East Burnside Street, Suite 300  8 Portland, Oregon 97214  9 (503) 245-1518  10 acl@mrlrlegalteam.com  11 jcp@mrlrlegalteam.com  12  13 ON BEHALF OF THE DEFENDANTS:  14 Robert E. Franz, Jr., OSB #730915  15 Sarah R. Henderson, OSB #153474  16 LAW OFFICE OF ROBERT E. FRANZ, JR.  17 Post Office Box 62  18 Springfield, Oregon 97477  19 (541) 741-8220  20 rfranz@franzlaw.comcastbiz.net  21 shenderson@franzlaw.comcastbiz.net  22 (Representing City of Coquille, City of Coos Bay,  23 Coos County, Craig Zanni, Chris Webley, Eric  24 Schwenninger, Sean Sanborn, Ray McNeely, Kris  25 Karcher, Pat Downing, Mark Dannels, Kip Oswald,  Michael Reaves, David Zavala, Anthony Wetmore,  Shelly McInnes)</p> <p>Jesse B. Davis, OSB #052290  OREGON DEPARTMENT OF JUSTICE  100 Southwest Market Street  Portland, Oregon 97201  (971) 673-1880  jesse.b.davis@doj.state.or.us  (Representing Oregon State Police, John Riddle,  Susan Hormann, Mary Krings, Kathy Wilcox)  Meredith A. Sawyer, OSB #33793  HWS LAW GROUP  101 Southwest Main Street, Suite 1605  Portland, Oregon 97204  (206) 262-1200  msawyer@hwsllawgroup.com  (Representing Vidocq Society)</p>	<p style="text-align: right;">Page 5</p> <p>1 INDEX OF TESTIMONY  2  3 WITNESS PAGE  4 MARK J. DANNELS  5 Examination by Mr. Lauersdorf . . . . . 8  6 Examination by Mr. DeFreest . . . . . 78  7 Examination by Ms. Sawyer . . . . . 86  8 Examination by Mr. Davis . . . . . 102  9 Examination by Mr. Lauersdorf . . . . . 103  10  11  12  13  14  15  16  17  18  19  20  21  22  23  24  25</p>

Mark Dannels  
September 01, 2023

INDEX OF EXHIBITS			Page 6	Page 8
1	DEPOSITION			MARK J. DANNELS,
2	EXHIBIT NO.	DESCRIPTION		2 called as a witness on behalf of the Plaintiffs, having been
3				3 first duly sworn to tell the truth, the whole truth, and
4	3	Coos County Sheriff's Office Incident Narrative, Interview of K. Steinhoff and R. Crook (26 pages)	16	4 nothing but the truth, was examined and testified as follows:
5				5 THE WITNESS: Yes, ma'am.
6	4	City of Coquille Police Department Incident Report (2 pages)	19	6 EXAMINATION
7	5	Confidential - Subject to Protective Order - City of Coquille Police Department Incident Report (2 pages)	21	7 BY MR. LAUERSDORF:
8	51	Confidential - Subject to Protective Order - Supplemental Report (3 pages)	12	8 Q. Okay. Sheriff Dannels, my name is Andy Lauersdorf.
9	52	Confidential - Subject to Protective Order - OSP Davis Interview of K. Steinhoff (37 pages)	14	9 We're back on the record in the deposition of Mark Dannels, in
10				10 the matter of Nicholas McGuffin and S.M. vs. Mark Dannels and a
11	53	OSP Riddle Interview of K. Steinhoff - (Audio Recording)	26	11 number of other defendants. Do you recall that?
12	54	Confidential - Subject to Protective Order - CPD Incident Report (2 pages)	29	12 A. Yes, I do.
13				13 Q. Okay. Would you please state your name as given at
14	55	CPD Dannels Polygraph-Interview of K. Steinhoff - (Video Recording)	30	14 birth.
15	56	Confidential - Subject to Protective Order - Handwritten Statement of K. Steinhoff (2 pages)	39	15 A. Mark Joseph Dannels.
16	57	ABC News - What Happened to Leah Freeman, Part 1 (Video)	46	16 Q. And your place and date of birth?
17	58	ABC News - What Happened to Leah Freeman, Part 2 (Video)	49	17 A. Clinton, Iowa, December 28th, 1963.
18	59	ABC News - What Happened to Leah Freeman, Part 3 (Video)	58	18 MR. LAUERSDORF: Okay. And once again, this is
19	63	Confidential - Subject to Protective Order - Email from Frasier to Dannels	38	19 Andrew Lauersdorf on behalf of the plaintiffs, and I'll have
20				20 the other attorneys on the Zoom call introduce themselves at
21				21 this time, please, starting with Ms. Puracal.
22				22 MS. PURACAL: Janis Puracal for plaintiffs.
23				23 MS. HENDERSON: This is Sarah Henderson on behalf
24				24 of the witness and the remaining municipal defendants.
25				25 MR. DAVIS: Jesse Davis on behalf of the State
1	64	Coquille Police Department Policy Manual (346 pages)	66	1 defendants.
2				2 MS. SAWYER: Meredith Sawyer on behalf of Vidocq
3				3 Society.
4		(Exhibit 53 retained by counsel.)		4 MR. DEFREEST: Eric DeFreest on behalf of
5				5 Mr. Walter.
6				6 BY MR. LAUERSDORF:
7				7 Q. Okay. Mr. Dannel, I underst- -- or, Dannels, I
8				8 understand that you're represented by Ms. Henderson and that
9				9 she is apparently not present in the room with you today. Is
10				10 that correct?
11				11 A. That is correct.
12				12 Q. Where are you located today?
13				13 A. I'm at a satellite office at 1728 Paseo San Luis,
14				14 in Sierra Vista, Arizona.
15				15 COURT REPORTER: Could you repeat the city?
16				16 THE WITNESS: A satellite office -- can you hear me
17				17 all right?
18				18 COURT REPORTER: Yeah, I didn't hear the city.
19				19 THE WITNESS: Oh, Sierra Vista.
20				20 COURT REPORTER: Thank you.
21				21 BY MR. LAUERSDORF:
22				22 Q. Okay. So you're still free to take breaks at any
23				23 time for any reason, whether to consult with Ms. Henderson or
24				24 otherwise, and I'm going to trust that we have a way figured
25				25 out for you guys to get together and take a break off the

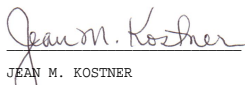


**Mark Dannels**  
**September 01, 2023**

<p style="text-align: right;">Page 98</p> <p>1 statute, if you're a deputy, you got full -- the full</p> <p>2 certification, you just don't get a paycheck. So I came back</p> <p>3 every three months, worked in Arizona when I was a chief up in</p> <p>4 Oregon. So I came back to prepare to run for sheriff. That's</p> <p>5 why I came back a year out.</p> <p>6 Q. And then did you run for sheriff?</p> <p>7 A. I did.</p> <p>8 Q. Looks like you won.</p> <p>9 A. Let me rephrase it so it's an accurate record here.</p> <p>10 I came back to run. The current sheriff was not going to run,</p> <p>11 and I worked for him for almost 29 years. I was under his</p> <p>12 command before I retired. He chose -- he changed his mind, was</p> <p>13 going to run. I backed out from running. And he asked me to</p> <p>14 come back and work for him. Long story short, he was killed in</p> <p>15 a car crash much later, and then I was selected to run for</p> <p>16 sheriff and got elected.</p> <p>17 Q. Okay. And so when were you elected sheriff in</p> <p>18 Arizona?</p> <p>19 A. November of 2012.</p> <p>20 Q. And what -- is it a county that you're the sheriff</p> <p>21 of?</p> <p>22 A. Yes, ma'am.</p> <p>23 Q. What county is that?</p> <p>24 A. Cochise, C-O-C-H-I-S-E.</p> <p>25 Q. And where is that?</p>	<p style="text-align: right;">Page 100</p> <p>1 Do you have an understanding that the -- there was statement</p> <p>2 analysis or handwriting analysis done by someone affiliated</p> <p>3 with Vidocq Society?</p> <p>4 A. Yeah, more -- it was -- I don't remember if it was</p> <p>5 an audio or written or scribed, but there was an analysis done.</p> <p>6 He gave us a copy of that.</p> <p>7 Q. And do you recall what kind of communication,</p> <p>8 statements, audio, whose -- whose statements --</p> <p>9 A. It was an interview.</p> <p>10 Q. -- whose statements were analyzed?</p> <p>11 A. It was an interview with Nick McGuffin by -- I</p> <p>12 believe it was by the previous chief.</p> <p>13 Q. Meaning the previous chief did an interview of Nick</p> <p>14 McGuffin?</p> <p>15 A. Back in the day, yes.</p> <p>16 Q. Like soon after Leah Freeman's disappearance?</p> <p>17 A. My recollection, I think that there was only --</p> <p>18 yeah, I believe that's what it was. Yes.</p> <p>19 Q. And do you know who -- how many statement analyses</p> <p>20 or audio analyses were done?</p> <p>21 A. I believe that's the only one, that I know of.</p> <p>22 Unless Mr. Frasier had something, but I think it was the only</p> <p>23 one.</p> <p>24 Q. Just one analysis was done of one statement?</p> <p>25 A. I believe it -- I think we had an audio statement</p>
<p style="text-align: right;">Page 99</p> <p>1 A. It's in the southeast corner of Arizona just south</p> <p>2 of -- south of Tucson, all the way over to New Mexico. Pretty</p> <p>3 large county.</p> <p>4 Q. Was Vidocq Society, as an entity, ever authorized</p> <p>5 by the Coquille Police Department to conduct any aspect of the</p> <p>6 investigation with respect to the death of Leah Freeman?</p> <p>7 A. No. With the caveat, though, that the question --</p> <p>8 the thought of doing the handwriting sample -- I think it was</p> <p>9 handwriting. Either voice or handwriting, I can't remember</p> <p>10 which, but that -- I know we knew they were doing that, but</p> <p>11 beyond that, I don't know of anything else.</p> <p>12 Q. Was Vidocq Society ever authorized by the Coquille</p> <p>13 Police Department to interview any witnesses on behalf of the</p> <p>14 Coquille Police Department with respect to the death of Leah</p> <p>15 Freeman?</p> <p>16 A. No.</p> <p>17 Q. And was Vidocq Society ever authorized by the</p> <p>18 Coquille Police Department to collect any physical evidence</p> <p>19 with respect to the death of Leah Freeman?</p> <p>20 A. No. They were strictly a resource.</p> <p>21 Q. And was Vidocq Society ever compensated in any way</p> <p>22 for any involvement they had with respect to the Leah Freeman</p> <p>23 case?</p> <p>24 A. No.</p> <p>25 Q. You mentioned something about a statement analysis.</p>	<p style="text-align: right;">Page 101</p> <p>1 on Nick, yeah. But it was on -- I'm pretty -- pretty sure it</p> <p>2 was on Nick that they did.</p> <p>3 Q. And do you know the author of the person who</p> <p>4 actually performed the analysis? Do you know who that was?</p> <p>5 A. It was one of the Vidocq, but I don't remember his</p> <p>6 name.</p> <p>7 Q. Do you know if that person was a Vidocq member?</p> <p>8 A. He was. He was there in Philadelphia.</p> <p>9 Q. And how do you know that was the person that</p> <p>10 performed the analysis?</p> <p>11 A. That's a good question. I just assumed it was him.</p> <p>12 But I'm pretty sure he said he was going to do it, so ... But</p> <p>13 if somebody else did it on his behalf, I don't know that.</p> <p>14 Q. So did you talk to someone when you were in</p> <p>15 Philadelphia who represented to you they would do some kind of</p> <p>16 an analysis of a statement of Mr. McGuffin?</p> <p>17 A. I don't know if I personally talked to them or the</p> <p>18 presentation brought that out and they said they were going to</p> <p>19 do it. So I don't know how it came about, but I know it was</p> <p>20 done.</p> <p>21 Q. Okay. And did you review that analysis?</p> <p>22 A. At the time I'm pretty sure I did.</p> <p>23 Q. And was there anything about that analysis that</p> <p>24 changed the course of the investigation that the Coquille</p> <p>25 Police Department did?</p>



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<p style="text-align: right;">Page 106</p> <p>1 A. That is correct.</p> <p>2 Q. And so do you recall testifying at grand jury</p> <p>3 that -- telling the grand jury that you guys had spent a lot of</p> <p>4 time on this case and you were able to eliminate all other</p> <p>5 suspects? The only person you couldn't eliminate was</p> <p>6 Mr. McGuffin. Is that right?</p> <p>7 A. That is correct.</p> <p>8 Q. How did you eliminate Scott Hamilton?</p> <p>9 A. I'm sorry, what?</p> <p>10 Q. How did you eliminate Scott Hamilton?</p> <p>11 A. And, again, I would have to go back and -- again, I</p> <p>12 don't have a pure recollection and all that, but as a team we</p> <p>13 went through every name that was listed. Either we couldn't</p> <p>14 connect it, we couldn't put the person there -- and, again, I'm</p> <p>15 just putting common sense back on the table -- so we just</p> <p>16 never -- it never went anywhere. A lot of these names we just</p> <p>17 couldn't put anywhere to put them into the case, if that makes</p> <p>18 sense.</p> <p>19 Q. Okay. How about Kelly Crowder? Do you remember a</p> <p>20 person named Kelly Crowder?</p> <p>21 A. I don't even know that name. I don't remember that</p> <p>22 name.</p> <p>23 Q. Okay. And how about -- let's see. There's</p> <p>24 another -- Billy -- I can't think of Billy's last name. Bill</p> <p>25 Richardson. Do you know that name?</p>	<p style="text-align: right;">Page 108</p> <p>1 Second of all, it goes back to some of the people -- again,</p> <p>2 some of the people that were accused didn't even know Leah. We</p> <p>3 could never connect the two of them. We could never even find</p> <p>4 people that they were even together. So it was just going back</p> <p>5 to what's reasonable, and then it goes back to credibility too.</p> <p>6 So I'm not saying that everybody that we feel was connected</p> <p>7 wasn't credible. There's a lot of people that have character,</p> <p>8 but when it comes to this case, this is what we felt -- the</p> <p>9 team felt a consensus on.</p> <p>10 MR. LAUERSDORF: Okay. That's all of the questions</p> <p>11 I have.</p> <p>12 THE WITNESS: Thank you, Andrew.</p> <p>13 MS. HENDERSON: Any other follow-up, or are we good</p> <p>14 to go?</p> <p>15 MR. DAVIS: No more questions for me. Jesse Davis.</p> <p>16 Thank you.</p> <p>17 MS. SAWYER: No more questions for me.</p> <p>18 MR. DEFREEST: No more questions for me.</p> <p>19</p> <p>20 (WHEREUPON, the deposition ended at the hour</p> <p>21 of 4:43 p.m.)</p> <p>22</p> <p>23 -o0o-</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 107</p> <p>1 A. Bill Richardson. That one doesn't ring a bell</p> <p>2 either. Sorry, Andrew.</p> <p>3 Q. No worries.</p> <p>4 A. Bill Richardson. I don't recall that name.</p> <p>5 Q. So with regard to the people that you eliminated</p> <p>6 and where you weren't able to eliminate Mr. McGuffin, that</p> <p>7 elimination would have come down to essentially who you</p> <p>8 believed and who you didn't believe. Isn't that right?</p> <p>9 A. Well, it goes back to credibility. I believe I</p> <p>10 used those words. And the credibility to include reasonable --</p> <p>11 the reasonable man test law: Who had a motive? Who was there?</p> <p>12 Who was -- I mean, some of these people didn't even know Leah,</p> <p>13 even though their names were being thrown out there. I</p> <p>14 remember that. But, again, this was a consensus of everything</p> <p>15 we were asked to do, everything we felt the team should have</p> <p>16 done to prove, disprove, and then that information was given to</p> <p>17 Mr. Frasier for his choice, if he wants to go to grand jury.</p> <p>18 But based on what the team felt, that was one person we could</p> <p>19 not eliminate, was Nick McGuffin.</p> <p>20 Q. Okay. So if it comes down to credibility, then, is</p> <p>21 it that all of the people that were eliminated were credible,</p> <p>22 and the one person that couldn't be eliminated, Mr. McGuffin,</p> <p>23 was not credible in your mind?</p> <p>24 A. Well, what I'm saying is it's the totality of the</p> <p>25 circumstances. First of all, we had to find intent, a motive.</p>	<p style="text-align: right;">Page 109</p> <p>1 STATE OF OREGON )</p> <p>2 ) ss. C E R T I F I C A T E</p> <p>3 County of Douglas )</p> <p>4</p> <p>5 I, JEAN M. KOSTNER, Certified Shorthand Reporter for the</p> <p>6 State of Oregon, do hereby certify that:</p> <p>7 Pursuant to stipulation of counsel for the respective</p> <p>8 parties, hereinbefore set forth, MARK J. DANNELS appeared</p> <p>9 remotely before me at the time and place set forth in the</p> <p>10 caption hereof;</p> <p>11 That, at said time and place, I reported in stenotype</p> <p>12 all testimony adduced and oral proceedings had in the foregoing</p> <p>13 matter, to the best of my ability;</p> <p>14 That, thereafter, my notes were reduced to typewriting,</p> <p>15 and that the foregoing transcript, pages 1 through 108, both</p> <p>16 inclusive, constitutes a full, true, and correct transcript of</p> <p>17 all such testimony adduced and oral proceedings had and of the</p> <p>18 whole thereof.</p> <p>19 IN WITNESS WHEREOF, I have hereunto set my hand and CSR</p> <p>20 stamp this 13th day of September, 2023, in the City of</p> <p>21 Roseburg, County of Douglas, State of Oregon.</p> <p>22</p> <p>23 </p> <p>24 JEAN M. KOSTNER</p> <p>25 Certified Court Reporter</p> <p>CSR No. 90-0051</p>